



General Assembly

February Session, 2016

Raised Bill No. 161

LCO No. 149



Referred to Committee on AGING

Introduced by:
(AGE)

***AN ACT CONCERNING NOTIFICATION OF PENALTIES FOR ABUSE
AND NEGLECT OF NURSING HOME RESIDENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-528a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2016*):

3 (a) For any application of licensure for the acquisition of a nursing
4 home, [filed after July 1, 2004,] any potential nursing home licensee or
5 owner shall submit in writing, a change in ownership application with
6 respect to the facility for which the change in ownership is sought.
7 [Such] The application shall be submitted in the form and manner
8 prescribed by the Commissioner of Public Health. The commissioner
9 shall include on the first page of the application the following
10 statement: "NOTICE: The State of Connecticut values the quality of
11 care provided to all of nursing home residents. Please know that any
12 nursing home licensee, owner or officer, including, but not limited to, a
13 director, trustee, limited partner, managing partner, general partner or
14 any person having at least a ten per cent ownership interest in the
15 nursing home or the entity that owns the nursing home, and any

16 administrator, assistant administrator, medical director, director of
 17 nursing or assistant director of nursing may be subject to civil and
 18 criminal liability, as well as administrative sanctions under applicable
 19 federal and state law, for the abuse or neglect of a resident of the
 20 nursing home perpetrated by an employee of the nursing home."

21 (b) Such statement shall not be construed as expanding or otherwise
 22 affecting the liability of any person or entity referenced in the
 23 statement. The application shall also include [such information as the
 24 Commissioner of Public Health deems necessary and] questions as to
 25 whether such potential nursing home licensee or owner [(1)] has had
 26 (1) three or more civil penalties imposed through final order of the
 27 commissioner in accordance with the provisions of sections 19a-524 to
 28 19a-528, inclusive, or civil penalties imposed pursuant to the statutes
 29 or regulations of another state, during the two-year period preceding
 30 the application, (2) [has had] in any state, sanctions, other than civil
 31 penalties of less than twenty thousand dollars, imposed through final
 32 adjudication under the Medicare or Medicaid program pursuant to
 33 Title XVIII or XIX of the federal Social Security Act, 42 USC 301, as
 34 from time to time amended, or (3) [has had] in any state, such potential
 35 licensee's or owner's Medicare or Medicaid provider agreement
 36 terminated or not renewed. [In the event that] If a potential nursing
 37 home licensee or owner's application contains information concerning
 38 civil penalties, sanctions, terminations or nonrenewals, as described in
 39 this section, the commissioner shall not approve the application to
 40 acquire another nursing home in this state for a period of five years
 41 from the date of final order on such civil penalties, final adjudication of
 42 such sanctions, or termination or nonrenewal, except for good cause
 43 shown.

This act shall take effect as follows and shall amend the following sections:

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| Section 1 | October 1, 2016 | 19a-528a |
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Statement of Purpose:

To provide notification of the civil, criminal and administrative penalties for abuse and neglect of nursing home residents.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]